

UNITED STATES BANKRUPTCY COURT, WESTERN DISTRICT OF WISCONSIN

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CHAPTER 13 PLAN (Individual Adjustment of Debts)

- ☐ Original Plan
☒ July 19, 2023 Amended Plan (Indicate 1st, 2nd, etc. Amended, if applicable)
☐ Modified Plan (Indicate 1st, 2nd, etc. Modified, if applicable)

DEBTOR: Gary Peterson JOINT DEBTOR: Betty Peterson CASE NO.: 22-11787
SS#: xxx-xx- 8835 SS#: xxx-xx-7472

I. NOTICES

- To Debtors: Plans that do not comply with local rules and judicial rulings may not be confirmable. All plans, amended plans and modified plans shall be served upon all creditors and a certificate of service filed with the Clerk pursuant to Local Rules 3015-1, 3015-2, and 3015-3.
- To Creditors: Your rights may be affected by this plan. You must file a timely proof of claim in order to be paid. Your claim may be reduced, modified or eliminated.
- To All Parties: The plan contains no nonstandard provisions other than those set out in paragraph VIII. Debtor(s) must check one box on each line listed below in this section to state whether the plan includes any of the following:

The valuation of a secured claim, set out in Section III, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section III	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
Nonstandard provisions, set out in Section VIII	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not included

TO ALL PARTIES:

Unless otherwise provided for in this plan, the Trustee shall disburse payments in the following order: administrative expenses including trustee and attorney fees, secured claims, priority claims, general unsecured claims.

II. PLAN PAYMENTS, LENGTH OF PLAN AND DEBTOR(S)' ATTORNEY'S FEE

- A. **MONTHLY PLAN PAYMENT:** This Plan pays for the benefit of the creditors the amounts listed below, including trustee's fees beginning 30 days from the filing/conversion date. Debtor(s) will make payments by employer wage order, unless otherwise specified herein. The payments must be made for the Applicable Commitment Period, either 36 or 60 months, or for a shorter period that is sufficient to pay allowed nonpriority unsecured claims in full.

1. \$765.00 for 3 months;
2. \$800.00 for 57 months;
3. \$0.00 for _____ months;
4. \$0.00 for _____ months;
5. \$0.00 for _____ months;
6. \$0.00 for _____ months;
7. \$0.00 for _____ months;

The total amount of estimated payments to the trustee: \$47,895.00

B. DEBTOR(S)' ATTORNEY'S FEE: ☐ NONE ☐ PRO BONO

Total Fees: \$4000.00 Total Paid: \$435.00 Balance Due: \$3565.00
Payable \$0.00 /month (Months to)

Debtor(s): Gary Peterson, Betty Peterson

Case number: 22-11787

III. TREATMENT OF SECURED CLAIMS

A. SECURED CLAIMS: ☐ NONE

[Retain Liens pursuant to 11 U.S.C. §1325 (a)(5)] Mortgage(s)/Lien on Real or Personal Property:

1. Creditor: State Bank Financial		
Address: 203 W. Wisconsin St. Sparta WI 54656	Arrearage/ Payoff on Petition Date	47,265.62
	Regular Payment (Direct)	\$668.05 /month
Account No.: _____		
Other: See non-standard provision below		
<input checked="" type="checkbox"/> Real Property	Check one below for Real Property:	
<input checked="" type="checkbox"/> Principal Residence	<input type="checkbox"/> Escrow is included in the regular payments	
<input type="checkbox"/> Other Real Property	<input checked="" type="checkbox"/> The debtor(s) will pay <input checked="" type="checkbox"/> taxes <input checked="" type="checkbox"/> insurance directly	
Address of Collateral: 612 E. Franklin St. Sparta, WI 54656		
<input type="checkbox"/> Personal Property/Vehicle		
Description of Collateral: _____		

B. VALUATION OF COLLATERAL: ☒ NONE

IV. TREATMENT OF FEES AND PRIORITY CLAIMS [as defined in 11 U.S.C. §507 and 11 U.S.C. § 1322(a)(4)]

A. ADMINISTRATIVE FEES OTHER THAN DEBTORS(S)' ATTORNEY'S FEE: ☒ NONE

B. PRIORITY TAX CLAIMS: ☒ NONE

C. DOMESTIC SUPPORT OBLIGATION(S): ☒ NONE

D. OTHER: ☒ NONE

V. TREATMENT OF UNSECURED NONPRIORITY CREDITORS

A. Pay \$0.00 /month

Pro rata dividend will be calculated by the Trustee upon review of filed claims after bar date.

B. ☐ If checked, the Debtor(s) will amend/modify to pay 100% to all allowed unsecured nonpriority claims.

C. SEPARATELY CLASSIFIED: ☒ NONE

*Debtor(s) certify the separate classification(s) of the claim(s) listed above will not prejudice other unsecured nonpriority creditors pursuant to 11 U.S.C. § 1322.

VI. EXECUTORY CONTRACTS AND UNEXPIRED LEASES: Secured claims filed by any creditor/lessor granted stay relief in this section shall not receive a distribution from the Chapter 13 Trustee.

☒ NONE

VII. INCOME TAX RETURNS AND REFUNDS: ☒ NONE

VIII. NON-STANDARD PLAN PROVISIONS ☐ NONE

☒ Nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Local Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

State Bank Financial has a mortgage on the homestead with a balance in the amount of \$47,265.62. The secured claim shall be amortized over 84 months at 5% interest for a monthly payment of \$668.05. Prior to confirmation, the Debtors shall pay adequate protection to State Bank Financial in the monthly amount of \$668.05. Upon confirmation, the Debtors shall continue to pay the monthly amount of \$668.05. The monthly payment will be through the Chapter 13 Trustee. The balance due upon completion of the chapter 13 shall balloon and become due and owing to State Bank Financial.

☐ Mortgage Modification Mediation

Debtor(s): Gary Peterson, Betty Peterson Case number: 22-11787

PROPERTY OF THE ESTATE WILL VEST IN THE DEBTOR(S) UPON PLAN CONFIRMATION.

I declare that the foregoing chapter 13 plan is true and correct under penalty of perjury.

s/Gary Peterson Debtor July 19, 2023
Gary Peterson Date

s/Betty Peterson Joint Debtor July 19, 2023
Betty Peterson Date

s/Greg P. Pittman July 19, 2023
Attorney with permission to sign on Date
Debtor(s)' behalf

By filing this document, the Attorney for Debtor(s) or Debtor(s), if not represented by counsel, certifies that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Local Form Chapter 13 Plan and the plan contains no nonstandard provisions other than those set out in paragraph VIII.

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In re: Gary and Betty Peterson

Chapter 13
Case No.: 22-11787

REQUEST TO AMEND UNCONFIRMED CHAPTER 13 PLAN

1. This request to amend an unconfirmed Chapter 13 Plan supersedes all prior requests to amend the Plan and includes all proposed amendments. Terms not fully stated here or in the original Plan are not part of the Plan.
2. Service: A certificate of service must be filed with this request for plan amendment, together with the amended Western Wisconsin Local Form 3015-1.1.
3. Designate one of the following:

☒ A copy of this proposed amendment has been served on the parties (the debtor, the trustee, the United States Trustee and all creditors) as required by Fed. R. Bank. P. 3015(g); or

_____ A motion requesting limited service is being filed simultaneously with the Court.
4. I request the following amendment of the Chapter 13 Plan filed with the Court:

Plan is amended to provide for 60 equal monthly payments to State Bank Financial with a balloon of the mortgage loan upon completion of the plan.

All remaining terms of the original Chapter 13 plan are unaffected. In the event of a conflict between the terms of the original Plan and the terms of this amendment, the terms of this amendment will control.

WHEREFORE, each Debtor requests the Court approve this proposed amendment to the original Chapter 13 Plan.

**UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF WISCONSIN**

In Re:

In Bankruptcy No:

**GARY PETERSON and
BETTY PETERSON**

Debtors.

Case No: 22-11787 (Chapter 13)

NOTICE OF AMENDED CHAPTER 13 PLAN

PLEASE TAKE NOTICE, that the debtors, Gary and Betty Peterson, by their attorneys, PITTMAN & PITTMAN LAW OFFICES, LLC by Greg P. Pittman, has filed an Amended Chapter 13 Plan. A copy of said Amended Plan is attached thereto.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to approve said motion, or if you want the Court to consider your views on the motion, then on or before ***August 10, 2023***, you or your attorney must file with the Court, in writing, your position in said matter and request a hearing and file your original document with the ***United States Bankruptcy Court, 120 N. Henry St., RM 340, Madison, WI 53703*** and a copy to ***Greg P. Pittman, 712 Main Street, La Crosse, Wisconsin 54601***. If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought by the motion and may enter an order granting that relief.

Dated this 20th day of July 2023, at La Crosse, Wisconsin.

PITTMAN & PITTMAN LAW OFFICES, LLC

By: s/Greg P. Pittman
Greg P. Pittman
Attorney No: 1073787
Attorney for Debtors
712 Main Street
La Crosse, WI 54601
(608) 784-0841

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In Re:

In Bankruptcy No:

GARY PETERSON and
BETTY PETERSON

Debtors.

Case No: 22-11787 (Chapter 13)

AFFIDAVIT OF SERVICE BY MAIL

STATE OF WISCONSIN)
) SS
COUNTY OF LA CROSSE)

The undersigned being first duly sworn states that a true copy of *Request to Amend Unconfirmed Chapter 13 Plan and Amended Chapter 13 Plan dated July 20, 2023* was served upon the individuals on attached list either by electronic filing or by enclosing the same in an envelope postpaid for first class handling which bore the sender's name and return address and addressed to each such individual at their respective post office addresses and deposited in a U.S. Post Office depository in La Crosse, Wisconsin on July 20, 2023.

s/Wanda Nickelotti
Wanda Nickelotti

Subscribed and sworn to before me
this 20th day of July, 2023.

s/Greg P. Pittman
Greg P. Pittman, Notary Public
My Commission is permanent.

Label Matrix for local noticing
0758-1
Case 1-22-11787-rmb
Western District of Wisconsin www.wiwb.uscour
Eau Claire
Thu Feb 2 15:25:42 CST 2023

Phillip James Addis
504 Main St., Ste 200
P.O. Box 1104
La Crosse, WI 54602-1104

Bank of America
Attn: Bankruptcy
4909 Savarese Circle
Tampa, FL 33634-2413

Bank of America, N.A.
PO Box 673033
Dallas, TX 75267-3033

Barclays Bank Delaware
Attn: Bankruptcy
Po Box 8801
Wilmington, DE 19899-8801

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

Discover Financial
Attn: Bankruptcy
Po Box 3025
New Albany, OH 43054-3025

Mark Harring
122 West Washington Ave.
Suite 500
Madison, WI 53703-2758

IRS - Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Mariner Finance
1423 State Rd 16
La Crosse, WI 54601-2980

Mariner Finance, LLC
Attn: Bankruptcy
8211 Town Center Drive
Nottingham, MD 21236-5904

NCB Management Services
Attn: Bankruptcy
1 Allied Drive
Feasterville-Trevose, PA 19053-6945

ONEMAIN
P.O. BOX 3251
EVANSVILLE, IN 47731-3251

OneMain Financial
Attn: Bankruptcy
Po Box 3251
Evansville, IN 47731-3251

PRA Receivables Management LLC
POB 41067
Norfolk, VA 23541-1067

Betty L Peterson
612 E. Franklin St.
Sparta, WI 54656-1921

Gary L Peterson
612 E. Franklin St.
Sparta, WI 54656-1921

Greg P. Pittman
Pittman & Pittman Law Offices, LLC
712 Main Street
La Crosse, WI 54601-4121

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Republic Bank
1 Allied Drive, #DT
Feasterville Trevose, PA 19053-6945

Secretary of Treasury
Treasury Department
1500 Pennsylvania Avenue N.W.
Washington, DC 20220-0001

Securities and Exchange Commission
175 West Jackson Boulevard
Suite 900
Chicago, IL 60604-2908

Speedycash
Attn: Bankruptcy
Po Box 780408
Wichita, KS 67278-0408

State Bank Financial
401 Main Street
La Crosse, WI 54601-4183

State Bank Financial
203 W. Wisconsin St.
Sparta, WI 54656-2346

State Bank Financial
c/o Addis Law, LLC
PO Box 1627
La Crosse, WI 54602-1627

(p)TRANSFORM CREDIT INC
1440 W TAYLOR ST
431
CHICAGO IL 60607-4623

U.S. Trustee's Office
780 Regent Street, Suite 304
Madison, WI 53715-2635

Wisconsin Department of Revenue
Special Procedures Unit
P.O. Box 8901
Madison, WI 53708-8901

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Portfolio Recovery Associates, LLC
PO Box 41067
Norfolk, VA 23541

(d)Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

Transform Credit Inc
Attn: Bankruptcy
332 S Michigan Ave, 9th Floor
Chicago, IL 60604

End of Label Matrix	
Mailable recipients	28
Bypassed recipients	0
Total	28